SINGLE BENCH

P.R. No. 6589/05
Presented by Shri Ganesh Prajapati
dated 23/12/05

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

W.P.NO.6547/ 2005

PETITIONER : Smt. Archana Tiwari
Wd/o of Late Shri Ashok Kumar Tiwari, aged about. 37 year, R/o Ganjpara Bemetara, Tahsil Bemetara District Durg (C.G.)

VERSUS

RESPONDENTS :1 State of Chhattisgarh
Through : Collector Durg

2. State of M.P.
Through Commissioner Public Education Directorate Bhopal Vallabh Bhawan Secretariat Bhopal.

3. District Education Center Officer Bemetara Distt. Durg

4. Deputy Director Panchayat andSocial welfare Distt. Durg (C.G.)

5. Chief Executive Officer Janpat Panchayat Bemetara Distt.Durg (C.G.)

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22.12.05
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. PARTICULARS OF THE PETITIONER :
As mentioned above in the Cause title

2. PARTICULARS OF THE RESPONDENTS :
As mentioned above in the Cause title

P. K. Mishra
Advocate

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(24)

आदेश पत्रक

मामला क्रमांक WP 6597/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-1-2006

Shri Ganesh Prajapati, counsel for the petitioner.

Shri Vivek Sharma, Panel Lawyer, for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the petitioner's husband, who was working as Shiksha Karmi Grade III in Education Department, died on 2/12/1999 during the service period and the petitioner applied for compassionate appointment which was denied. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 and strictly in accordance with the policy prevalent at that time.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of her husband. If the petitioner found eligible, appointment orders will be issued as early as possible on or before 30th April, 2006. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.W.P. No.5174/2005 also stands disposed of.

Certified copy as per rules.

Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.

Sd/-
L.C. Bhadoo
Judge